

Calendar No. 641

103D CONGRESS
2D SESSION

S. 1222

A BILL

To revise the boundaries of the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes.

SEPTEMBER 27 (legislative day, SEPTEMBER 12), 1994
Reported with amendments

Calendar No. 641

103^D CONGRESS
2^D SESSION

S. 1222

To revise the boundaries of the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14 (legislative day, JUNE 30), 1993

Mr. KENNEDY (for himself, Mr. KERRY, Mr. PELL, and Mr. CHAFEE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 27 (legislative day, SEPTEMBER 12), 1994

Reported by Mr. JOHNSTON, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To revise the boundaries of the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Blackstone River
5 Valley National Heritage Corridor Amendments Act of
6 ~~1993~~”. 1994”.

1 **SEC. 2. BOUNDARY CHANGES.**

2 Section 2 of the Act entitled “An Act to establish the
3 Blackstone River Valley National Heritage Corridor in
4 Massachusetts and Rhode Island”, approved November
5 10, 1986 (Public Law 99–647; 16 U.S.C. 461 note), is
6 amended by striking the first sentence and inserting the
7 following new sentence: “The boundaries shall include the
8 lands and water generally depicted on the map entitled
9 Blackstone River Valley National Heritage Corridor
10 Boundary Map, numbered BRV–80–80,011, and dated
11 May 2, 1993.”.

12 **SEC. 3. TERMS.**

13 Section 3(c) of the Act entitled “An Act to establish
14 the Blackstone River Valley National Heritage Corridor
15 in Massachusetts and Rhode Island”, approved November
16 10, 1986 (Public Law 99–647; 16 U.S.C. 461 note), is
17 amended by inserting immediately before the period at the
18 end the following: “, but may continue to serve after the
19 expiration of this term until a successor has been ap-
20 pointed.”.

21 **SEC. 4. REVISION OF PLAN.**

22 Section 6 of the Act entitled “An Act to establish the
23 Blackstone River Valley National Heritage Corridor in
24 Massachusetts and Rhode Island”, approved November
25 10, 1986 (Public Law 99–647; 16 U.S.C. 461 note), is

1 amended by adding at the end the following new sub-
2 section:

3 “(d) REVISION OF PLAN.—(1) Not later than 1 year
4 after the date of enactment of this subsection, the Com-
5 mission, with the approval of the Secretary, shall revise
6 the Cultural Heritage and Land Management Plan. The
7 revision shall address the boundary change and shall in-
8 clude a natural resource inventory of areas or features
9 that should be protected, restored, managed, or acquired
10 because of their contribution to the understanding of na-
11 tional cultural landscape values.

12 “(2) No changes other than minor revisions may be
13 made in the approved plan as amended without the ap-
14 proval of the Secretary. The Secretary shall approve or
15 disapprove any proposed change in the plan, except minor
16 revisions, in accordance with subsection (b).”.

17 **SEC. 5. EXTENSION OF COMMISSION.**

18 Section 7 of the Act entitled “An Act to establish the
19 Blackstone River Valley National Heritage Corridor in
20 Massachusetts and Rhode Island”, approved November
21 10, 1986 (Public Law 99–647; 16 U.S.C. 461 note), is
22 amended to read as follows:

23 “TERMINATION OF COMMISSION

24 “SEC. 7. (a) TERMINATION.—Except as provided in
25 subsection (b), the Commission shall terminate on the date
26 that is 10 years after the date of enactment of the Black-

1 stone River Valley National Heritage Corridor Amend-
2 ments Act of ~~1993~~. 1994.

3 “(b) EXTENSION.—The Commission may be extended
4 for ~~additional terms of consecutive 10-year periods~~ *an ad-*
5 *ditional term of 10 years* if—

6 “(1) not later than 180 days before the termi-
7 nation of the Commission, the Commission deter-
8 mines that an extension is necessary to carry out
9 this Act;

10 “(2) the Commission submits a proposed exten-
11 sion to the appropriate committees of the Senate
12 and the House of Representatives; and

13 “(3) the Secretary, the Governor of Massachu-
14 setts, and the Governor of Rhode Island each ap-
15 prove the extension.

16 “(c) DETERMINATION OF APPROVAL.—The Secretary
17 shall approve the extension if the Secretary finds that—

18 “(1) the Governor of Massachusetts and the
19 Governor of Rhode Island provide adequate assur-
20 ances of continued tangible contribution and effec-
21 tive policy support toward achieving the purposes of
22 this Act; and

23 “(2) the Commission is effectively assisting
24 Federal, State, and local authorities to retain, en-

1 hance, and interpret the distinctive character and
 2 nationally significant resources of the Corridor.”.

3 **SEC. 6. IMPLEMENTATION OF THE PLAN.**

4 Subsection (c) of section 8 of the Act entitled “An
 5 Act to establish the Blackstone River Valley National Her-
 6 itage Corridor in Massachusetts and Rhode Island”, ap-
 7 proved November 10, 1986 (Public Law 99-647; 16
 8 U.S.C. 461 note), is amended to read as follows: *U.S.C.*
 9 *461 note), as amended, is amended by inserting the follow-*
 10 *ing:*

11 ~~“(c) IMPLEMENTATION.—(1) To assist in the imple-~~
 12 ~~mentation of the Cultural Heritage and Land Manage-~~
 13 ~~ment Plan in a manner that is consistent with the pur-~~
 14 ~~poses of this Act and for the preservation and restoration~~
 15 ~~of structures on or eligible for inclusion on the National~~
 16 ~~Register of Historic Places, the Secretary is authorized to~~
 17 ~~provide funds for projects in the Corridor that exhibit na-~~
 18 ~~tional significance or provide a wide spectrum of historic,~~
 19 ~~recreational, environmental, educational, or interpretive~~
 20 ~~opportunities, without regard to whether the projects are~~
 21 ~~in public or private ownership.~~

22 “(c) *IMPLEMENTATION.—(1) To assist in the imple-*
 23 *mentation of the Cultural Heritage and Land Management*
 24 *Plan in a manner consistent with purposes of this Act, the*
 25 *Secretary is authorized to undertake a limited program of*

1 *financial assistance for the purpose of providing funds for*
2 *the preservation and restoration of structures on or eligible*
3 *for inclusion on the National Register of Historic Places*
4 *within the Corridor which exhibit national significance or*
5 *provide a wide spectrum of historic, recreational, or envi-*
6 *ronmental education opportunities to the general public.*

7 “(2) To be eligible for funds under this section, the
8 Commission shall submit an application to the Secretary
9 that includes—

10 “(A) a 10-year development plan including
11 those resource protection needs and projects critical
12 to maintaining or interpreting the distinctive char-
13 acter of the Corridor; and

14 “(B) specific descriptions of annual work pro-
15 grams that have been assembled, the participating
16 parties, roles, cost estimates, cost-sharing, or cooper-
17 ative agreements necessary to carry out the develop-
18 ment plan.

19 “(3) Funds made available pursuant to this sub-
20 section shall not exceed 50 percent of the total cost of the
21 work programs.

22 “(4) In making the funds available, the Secretary
23 shall give priority to projects that attract greater non-Fed-
24 eral funding sources.

1 “(5) Any payment made for the purposes of conserva-
 2 tion or restoration of real property or structures shall be
 3 subject to an agreement either—

4 “(A) to convey a conservation or preservation
 5 easement to the Department of Environmental Man-
 6 agement or to the Historic Preservation Commis-
 7 sion, as appropriate, of the State in which the real
 8 property or structure is located; or

9 ~~“(B) that conversion, use, or disposal of the re-~~
 10 ~~sources so assisted for purposes contrary to the pur-~~
 11 ~~poses of this Act, as determined by the Secretary,~~
 12 ~~the recipient, his successors or assigns shall pay to~~
 13 ~~the United States the total cost of all Federal funds~~
 14 ~~made available to such project reduced pro rata over~~
 15 ~~the useful life of the improvements funded or the in-~~
 16 ~~creased value of the project attributable to the funds~~
 17 ~~as determined at the time of the conversion, use, or~~
 18 ~~disposal, whichever is greater.~~

19 *“(B) that conversion, use, or disposal of the re-*
 20 *sources so assisted for purposes contrary to the pur-*
 21 *poses of this Act, as determined by the Secretary,*
 22 *shall result in a right of the United States for reim-*
 23 *bursement of all funds expended upon such resources*
 24 *or the proportion of the increased value of the re-*
 25 *sources attributable to such funds as determined at*

1 *the time of such conversion, use, or disposal, which-*
 2 *ever is greater.*

3 “(6) The authority to determine that a conversion,
 4 use, or disposal of resources has been carried out contrary
 5 to the purposes of this Act in violation of an agreement
 6 entered into under paragraph (5)(A) shall be solely at the
 7 discretion of the Secretary.”.

8 **SEC. 7. LOCAL AUTHORITY.**

9 *Section 5 of the Act entitled “An Act to establish the*
 10 *Blackstone River Valley National Heritage Corridor in*
 11 *Massachusetts and Rhode Island”, approved November 10,*
 12 *1986 (Public Law 99-647; 16 U.S.C. 461 note), is amended*
 13 *by adding at the end the following new subsection:*

14 “(j) *LOCAL AUTHORITY AND PRIVATE PROPERTY NOT*
 15 *AFFECTED.—Nothing in this Act shall be construed to affect*
 16 *or to authorize the Commission to interfere with—*

17 *“(1) the rights of any person with respect to pri-*
 18 *vate property; or*

19 *“(2) any local zoning ordinance or land use plan*
 20 *of the Commonwealth of Massachusetts or a political*
 21 *subdivision of such Commonwealth.”.*

22 **SEC. 7. 8. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 10 of the Act entitled “An Act to establish
 24 the Blackstone River Valley National Heritage Corridor
 25 in Massachusetts and Rhode Island”, approved November

1 10, 1986 (Public Law 99-647; 16 U.S.C. ~~461~~ note), is
 2 ~~amended—~~ *U.S.C. 461 note*, as amended, is further
 3 *amended—*

4 (1) in subsection (a), by striking “\$350,000”
 5 and inserting “\$650,000”; and

6 (2) by amending subsection (b) to read as fol-
 7 lows:

8 “(b) DEVELOPMENT FUNDS.—For fiscal years ~~1994,~~
 9 ~~1995, and 1996,~~ *1995, 1996, and 1997*, there is authorized
 10 to be appropriated to carry out section 8(c), \$5,000,000
 11 in the aggregate, and for each fiscal year thereafter, such
 12 ~~sums as are necessary.~~” *aggregate.*”